

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 27, 2017

The Honorable Dan Patrick
Lieutenant Governor of Texas
Capitol Station
PO Box 12068
Austin, Texas 78711

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution.

Senate Bill (SB) 964, as Filed by Senator José Rodríguez-relating to the Jeff Davis County Underground Water Conservation District; authorizing a fee.

Dear Governor Patrick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

The bill adds new Chapter §8891, Special District Local Laws Code, for the Jeff Davis County Underground Water Conservation District and repeals the current enabling District legislation, Chapter 641, Acts of the 73rd Legislature Regular Session, 1993. Chapter §8891 is consistent with the current enabling legislation for the District with the exception of an addition to Chapter §8891 of a cap on fees where the District may not annually charge production fees greater than \$1 per acre-foot for water used for agricultural use or 17 cents per 1,000 gallons for water used for any other purpose.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Wilson".

Kim Wilson, Director
Water Availability Division

cc: The Honorable Charles Perry, Chairman, Senate Committee on Agriculture, Water, and Rural Affairs
Senator José Rodríguez, Texas Senate

LETTER OF TRANSMITTAL
TEXAS SENATE
STATE OF TEXAS

SB 964

Bill Number

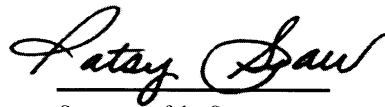
TO: The Honorable Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

2/22/2017

Date transmitted to
Governor's Office


Secretary of the Senate

TO: Texas Commission on Environmental Quality

SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

March 3, 2017

Date transmitted to
Texas Commission on Environmental Quality


Governor

TO: The Honorable President of the Senate
The Honorable Speaker of the House of Representatives
The Honorable Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.



Texas Commission on Environmental Quality

By: Rodríguez

S.B. No. 964

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the Jeff Davis County Underground Water Conservation
3 District; authorizing a fee.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subtitle H, Title 6, Special District Local Laws
6 Code, is amended by adding Chapter 8891 to read as follows:

7 CHAPTER 8891. JEFF DAVIS COUNTY UNDERGROUND WATER CONSERVATION

8 DISTRICT

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 8891.001. DEFINITIONS. In this chapter:

11 (1) "Board" means the district's board of directors.

12 (2) "Commissioners court" means the Jeff Davis County
13 Commissioners Court.

14 (3) "Director" means a board member.

15 (4) "District" means the Jeff Davis County Underground
16 Water Conservation District.

17 Sec. 8891.002. NATURE OF DISTRICT. The district is a
18 groundwater conservation district in Jeff Davis County created
19 under and essential to accomplish the purposes of Section 59,
20 Article XVI, Texas Constitution.

21 Sec. 8891.003. FINDINGS OF PUBLIC USE AND BENEFIT. (a) The
22 district is created to serve a public use and benefit.

23 (b) All land and other property included in the district
24 will benefit from the works and projects accomplished by the

S.B. No. 964

1 district under the powers conferred by Section 59, Article XVI,
2 Texas Constitution.

3 Sec. 8891.004. DISTRICT TERRITORY. The district's
4 boundaries are coextensive with the boundaries of Jeff Davis
5 County, unless the district's territory has been modified under:

6 (1) Subchapter J or K, Chapter 36, Water Code; or

7 (2) other law.

8 Sec. 8891.005. APPLICABILITY OF OTHER GROUNDWATER
9 CONSERVATION DISTRICT LAW. (a) Except as otherwise provided by
10 this chapter, Chapter 36, Water Code, applies to the district.

11 (b) Section 36.121, Water Code, does not apply to the
12 district.

13 SUBCHAPTER B. BOARD OF DIRECTORS

14 Sec. 8891.051. COMPOSITION OF BOARD; TERMS. (a) The
15 district is governed by a board of five directors appointed by the
16 commissioners court.

17 (b) Directors serve staggered four-year terms that expire
18 on March 1 of the applicable odd-numbered year.

19 Sec. 8891.052. VACANCIES. If there is a vacancy on the
20 board, the commissioners court shall appoint a director to serve
21 the remainder of the term.

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 8891.101. GENERAL POWERS AND DUTIES. The district has
24 the rights, powers, privileges, functions, and duties provided by
25 the general law of this state, including Chapter 36, Water Code,
26 applicable to groundwater conservation districts created under
27 Section 59, Article XVI, Texas Constitution.

1 Sec. 8891.102. LIMITATION ON TAXES. The district may not
2 impose taxes in the district.

3 Sec. 8891.103. FEES. (a) The district may assess fees as
4 authorized by Section 36.205, Water Code.

5 (b) The district may not charge for an annual period
6 production fees greater than \$1 per acre-foot for water used for
7 agricultural use or 17 cents per 1,000 gallons for water used for
8 any other purpose.

9 SECTION 2. Chapter 641, Acts of the 73rd Legislature,
10 Regular Session, 1993, is repealed.

11 SECTION 3. (a) The legal notice of the intention to
12 introduce this Act, setting forth the general substance of this
13 Act, has been published as provided by law, and the notice and a
14 copy of this Act have been furnished to all persons, agencies,
15 officials, or entities to which they are required to be furnished
16 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
17 Government Code.

18 (b) The governor, one of the required recipients, has
19 submitted the notice and Act to the Texas Commission on
20 Environmental Quality.

21 (c) The Texas Commission on Environmental Quality has filed
22 its recommendations relating to this Act with the governor, the
23 lieutenant governor, and the speaker of the house of
24 representatives within the required time.

25 (d) All requirements of the constitution and laws of this
26 state and the rules and procedures of the legislature with respect
27 to the notice, introduction, and passage of this Act are fulfilled

S.B. No. 964

1 and accomplished.

2 SECTION 4. This Act takes effect September 1, 2017.

STATE OF TEXAS

COUNTY OF Jeff Davis

Before me, the undersigned authority, on this day personally

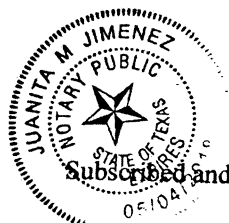
Appeared Bob Dillard, the Publisher of the

Mountain Dispatch, a newspaper having general
circulation in

Jeff Davis County, Texas who being by me duly sworn,

deposes and says that the foregoing attached notice was published in said

newspaper on the following date(s), to wit: Jan. 19, 2017.



Bob Dillard

Subscribed and sworn to before me this the 6th day of January, 20 17,
to certify which witness my hand and seal of office.

Juanita M. Jimenez
Notary Public in and for

Jeff Davis County, Texas.

Pequeños . . . From page one

hollowed with a derrick used to lower long sections of 42 inch pipe into the earth.

"Water protection of the world water" yelled Sandhu.
It was the second double barrel pipeline project of the year.
Glover, a member of the Big Bend Defense Committee, and Sandhu are both participating in the Two Rivers Camp, an encampment styled after the NO DART, hospital in North Dakota.

Author to discuss latest work tonight at library

PORT DAVIS - Everyone is invited to attend a "Bridging La Frontera" book event at the Jeff Davis County Library in Fort Davis this evening.

At 6 p.m. all friends of the library members and guests are invited to welcome Robert Schatz with a wine and cheese reception at the Hotel Lumber. Following this at 7 p.m. there will be a discussion led by the author and a book signing of his new memoir, *Double Moon: A Tale of History and Discovery* describing a life of dual cultural identities. The free event includes music provided by Harmonious Tunes, Big Bend Coffee Roasters, Fort Davis State Bank and Long Land and Water.

Stock show results . . . From page one

Class 1
1st, 2nd and 3rd places: Falds
Ann Boudinghouse (Fort Davis 4-H),
2nd: Michelle Cross (Alpine FFA) 4th:
Ty Emery (Alpine FFA) 5th: 10th and
12th: Jerry Harrison (Fort Davis
FFA), 6th: Mike Morris (Alpine FFA),
8th: Lorenz Proben (Brewster 4-H),
9th: Lauren Rogers (Alpine FFA),
11th: Paula Morris (Alpine FFA),
13th: Campbell (Brewster 4-H)

Class 2
1st, 2nd and 4th places: Falds
Ann Boudinghouse (Fort Davis 4-H),
2nd: Morgan Melcher (Alpine FFA),
3rd: Morgan Melcher (Brewster 4-H),
4th: Caplan (Alpine FFA), 5th:
and 6th: Martin Schuler (Alpine
FFA), 7th: Josh Pearson (Fort Davis
FFA), 10th: Spring (Brewster 4-H),
FFA), 12th: Piper Boudinghouse (Fort
Davis 4-H) and 13th: Tristen
Boudinghouse (Fort Davis 4-H)

Class 3
1st place: Morgan Melcher
(Alpine FFA), 2nd and 11th: Falds
Ann Boudinghouse (Fort Davis 4-H),
3rd: April Waring, 4th: Nupell Zoo
(Brewster 4-H), 5th: Caplan (Alpine
FFA), 6th and 10th: Josh
Pearson (Fort Davis 4-H), 7th:
Michelle Cross (Alpine FFA), 8th:
Ty Emery (Alpine FFA), 9th: Lauren
Rogers (Alpine FFA), 12th: Mike Mor-
ris (Alpine FFA)

RESERVE CHAMPION
LIGHT WEIGHT: Falds Ann
Boudinghouse
GRAND CHAMPION
LIGHT WEIGHT: Morgan
Melcher

Medium Weight Division
Class 4
1st: Mary Melcher (Alpine
FFA), 2nd: Be Morris (Alpine FFA),
3rd: Martin Schuler (Alpine FFA),
4th: Taylor Hunt (Alpine FFA), 5th:
Colleen Shannon (Alpine FFA), 6th:
Lorenz Proben (Alpine FFA), 7th:
Madison Emery (Alpine FFA), 8th:
Paula Morris (Alpine FFA), 9th: Mike
Morris (Alpine FFA), 10th: Jan
Schuler (Brewster 4-H)

Class 5
1st: Falds Ann Boudinghouse
(Fort Davis 4-H), 2nd: Clancy
Norman (Brewster 4-H), 3rd:
Colleen Shannon (Alpine FFA), 4th:
and 7th: Morgan Melcher (Brewster 4-H),
5th: Martin Schuler (Alpine FFA),
6th: Madison Emery (Alpine FFA),
8th: Morgan Young (Alpine FFA),
9th: Robert Young (Brewster 4-H),
10th: Ray Jones (Alpine FFA), 11th:
Nupell Zoo (Brewster 4-H), 12th:
Piper Boudinghouse

Class 6
1st place: Sharon Foster (Al-
pine FFA), 2nd: Mary Melcher (Al-
pine FFA), 3rd: Clancy Norman
(Brewster 4-H), 4th: Taylor Hunt (Al-
pine FFA), 5th and 6th: Paul Pearson
(Fort Davis FFA), 7th: Caroline Price
(Alpine FFA), 8th: Renee Chene
(Brewster 4-H), 9th: David
Schuler (Brewster 4-H), 10th and
11th: Madison Wren (Brewster 4-H)

RESERVE CHAMPION BE-
DING WEIGHT: Mary Melcher
GRAND CHAMPION BE-
DING WEIGHT: Sharon Foster
Heavy Weight Division

Class 7
1st place: Christine Harmsen
(Fort Davis FFA), 2nd: April Waring
(Alpine FFA), 3rd: Clancy Norman
(Brewster 4-H), 4th: Sydney Shaden-
son (Alpine FFA), 5th: Be Morris (Al-
pine FFA), 6th and 7th: Morgan Young
(Alpine FFA), 8th: Caplan (Alpine FFA),
9th: Lauren Rogers (Fort Davis FFA),
10th: Paul Pearson (Brewster 4-H)

Class 8
1st place: Mary Melcher (Al-
pine FFA), 2nd and 3rd: Caplan
Boudinghouse (Alpine FFA), 4th: Caplan
Boudinghouse (Alpine FFA), 5th: Caplan
Boudinghouse (Alpine FFA), 6th: Caplan
Boudinghouse (Alpine FFA), 7th: Caplan
Boudinghouse (Alpine FFA), 8th: Caplan
Boudinghouse (Alpine FFA), 9th: Caplan
Boudinghouse (Alpine FFA), 10th: Caplan
Boudinghouse (Alpine FFA), 11th: Caplan
Boudinghouse (Alpine FFA), 12th: Caplan
Boudinghouse (Alpine FFA)

Class 9
1st: Morgan Melcher (Alpine
FFA), 2nd and 3rd: April Waring (Al-
pine FFA), 4th and 5th: Caroline
Price (Alpine FFA), 6th: Caplan
Boudinghouse (Fort Davis FFA), 7th: Be
Morris (Brewster 4-H), 8th:
Renee Chene (Brewster 4-H)



Garry Wicks at 14 months old, when children judge him well where a couple of his birds go a little away at the Big Bend
Lumbermill Show. He has been with birds since he was a kid and plays at the show.

Classifieds Work

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NOTICE OF INTENT

This is to give notice of intent to introduce in the 85th Legislature, Regular Session, a bill to be entitled an Act related to codification of legislation governing the Jeff Davis Underground Water Conservation District.

Fort Davis Veterinary Services

4341 State Hwy 17 South
Fort Davis, TX 79734
(432) 426-3086

Dr. David Fowler
Dr. Janet Brown

ANDY PRUDE
WELL
SERVICE

PO BOX 829
FORT DAVIS, TX 79734
(432) 426-3030
Pump Installation & Repair
Wellbore Maintenance

Ditching • Solar and Alternative Energy Specialists

WEST TEXAS EYECARE

605 North Main Street
Fort Stockton, TX 79735
(432) 336-3662
Fax: (432) 336-7906

Helen H. Pam, O.D.
Brian E. Cherry, O.D.
Jackson Perry, O.D.
Therapeutic Optician &
Optometric Glaucoma Specialist

westtxeyecare@gmail.com

FORT DAVIS INDEPENDENT SCHOOL DISTRICT STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE GOVERNMENTAL FUNDS FOR THE YEAR ENDED AUGUST 31, 2016				
Data Control Codes	IN		OUT	
	General Fund	Other Funds	General Fund	Other Funds
REVENUES				
1700 Local and Intermediate Sources	\$ 2,029,778	\$ 485	\$ 2,030,263	
2000 State Property Revenues	738,908	5,774	744,682	
2400 Federal Property Revenues	112,485	47,342	159,827	
5420 Total Revenues	2,881,171	95,599	2,976,672	
EXPENDITURES				
0010 Instruction	1,797,823	12,361	1,810,184	
0015 Instructional Resources & Media Services	23	-	23	
0017 Curriculum & Instructional Staff Development	17,971	-	17,971	
0020 Instructional Leadership	221,885	-	221,885	
0025 Leadership, Counseling & Evaluation Services	83,887	12,889	96,776	
0030 Health Services	884	-	884	
0035 Student Support Transportation	55,977	-	55,977	
0040 Food Services	2,685	6,251	8,936	
0045 Community Interscholastic Activities	178,178	-	178,178	
0048 General Administration	392,667	-	392,667	
0050 Plant Maintenance and Operations	163,474	-	163,474	
0052 Security and Monitoring Services	14,900	-	14,900	
0055 Data Processing Services	60,386	-	60,386	
0057 Data Service - Principal	29,756	-	29,756	
0059 Data Service - District	4,970	-	4,970	
0060 Payments to Fiscal Agent Member Dist. of USA	44,112	-	44,112	
0065 Other Interscholastic Charges	66,116	-	66,116	
0070 Total Expenditures	2,742,223	191,311	2,933,534	
1100 Excess (Deficiency) of Revenues Over Expenditures	138,948	(1,816)	137,132	
OTHER FINANCING SOURCES (USES)				
7010 Transfers In	-	1,816	1,816	
7015 Transfers Out	(1,816)	-	(1,816)	
7020 Total Other Financing Sources (Uses)	(1,816)	1,816	-	
1300 Net Change in Fund Balance	26,117	-	26,117	
0100 Fund Balance - Beginning	1,491,117	-	1,491,117	
0200 Fund Balance - Ending	\$ 1,517,234	\$ -	\$ 1,517,234	

The notes to the financial statements are an integral part of this statement